## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Bruce C. Elrod and Christopher J. Elrod,	) Civil Action No.: 0:14-2283-MGL
Plaintiffs, )	ORDER AND OPINION
V.	
Jim Richardson, Jason Rogers, Al Weekly, Music Charts Magazine, and Terry Hammond,	) ) )
Defendants.	

Plaintiffs Bruce C. Elrod and Christopher J. Elrod, proceeding pro se and in forma pauperis brought this civil action against Jim Richardson, Jason Rogers, Al Weekly, Music Charts Magazine, and Terry Hammond ("Defendants"). (ECF No. 1.) The matter is before the Court for review of the Report and Recommendation of the United States Magistrate Judge recommending that this action be dismissed without prejudice and without issuance and service of process because Plaintiffs failed to provide factual support for their bare allegations of slander. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The Court reviews the Report and Recommendation only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416

0:14-cv-02283-MGL Date Filed 10/29/14 Entry Number 24 Page 2 of 2

F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a

district court need not conduct a de novo review, but instead must only satisfy itself that

there is no clear error on the face of the record in order to accept the recommendation.")

(citation omitted).

The Magistrate Judge filed the Report and Recommendation on October 9, 2014.

No objections have been filed and the time for doing so expired on October 27, 2014. In

the absence of such objections, the Court is not required to give any explanation for

adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir.1983).

Moreover, a failure to object waives appellate review. Wright v. Collins, 766 F.2d 841,

845-46 (4th Cir.1985).

After a thorough review of the record in this case and the Report and

Recommendation of the Magistrate Judge pursuant to the standard set forth above, the

Court adopts and incorporates the Report and Recommendation herein. It is therefore

ORDERED that Plaintiffs' complaint be dismissed without prejudice and without issuance

and service of process.

IT IS SO ORDERED.

s/Mary G. Lewis
United States District Judge

October 29, 2014

Spartanburg, South Carolina

-2-